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DECLARATION AND POWER OF ATTORNEY
IN COPENDING APPLICATION
CONTAINING ADDITIONAL SUBJECT MATTER

ATTORNEY DOCKET NO. 7139.1

As a below named joint inventor, each of us hereby declares as follows:

My residence, post office address and citizenship are as stated below next to my name.

I believe that I am an original, first, and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

METHODS AND COMPOSITIONS UTILIZING QUINAZOLINONES

the specification of which () is filed herewith (X) was filed on October 24, 2000 as United States Application Serial No. 09/699,047 and was amended on N/A. I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to above.

This application in part discloses and claims subject matter disclosed in my earlier filed copending provisional applications Serial No. 60/198,253, filed October 27, 1999 and Serial No. 60/213,104, filed June 21, 2000, of which I claim the benefit under 35 USC § 119(e).

I acknowledge the duty to disclose information of which I am aware that is material to the patentability of this application in accordance with 37 CFR §1.56(a), including material information which became available between the filing date of said prior application and the filing date of this continuation-in-part application, insofar as the subject matter of the claims is not disclosed in said prior application in the manner provided by 35 USC §112, first paragraph.

That, as to the subject matter of this application which is common to said earlier application, I do not know and do not believe: that this invention was ever known or used in the United States of America before our invention thereof; that this invention was patented or described in any printed publication in any country before our invention thereof or more than one year prior to said application; that this invention was in public use or on sale in the United States of America more than one year prior to said application; that this invention has been patented or made the subject of an inventor's certificate issued before the date of said application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to said application; nor that any application for patent or inventor's certificate on this invention has been filed in any country foreign to the United States of America prior to said application by me or my legal representatives or assigns, except as follows: N/A.

That, as to the subject matter of this application which is not common to said earlier application, I do not know and do not believe: that this invention was ever known or used in the United States of America before our invention thereof; that this invention was patented or described in any printed publication in any country before our invention thereof or more than one year prior to this application; that this invention was in public use or on sale in the United States of America more than one year prior to this application; that this invention has been patented or made the subject of an inventor's certificate issued before the date of this application in any

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country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to this application; nor that any application for patent or inventor's certificate on this invention has been filed in any country foreign to the United States of America prior to this application by me or my legal representatives or assigns, except as follows: N/A.

I hereby appoint the following attorneys to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith:

David A. Lowin, Registration No. 29,326

Direct all telephone calls to:

David A. Lowin
650-851-0980.

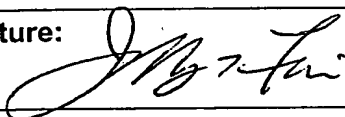
Address all written correspondence to:

David A. Lowin
P.O. Box 620535
Woodside, CA 94062-0535

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this application or any patent issuing thereon.

NAME OF FIRST INVENTOR: JEFFREY T. FINER

Signature:



Date:

6-21-01

Residence: Foster City, CA

Citizenship: United States

Mailing Address: 661 Leo Drive, Foster City, CA 94404

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NAME OF SECOND INVENTOR: GUSTAV BERGNES

GB- 6/21/01

Signature:



Date:

6/21/01

Residence: San Bruno, CA

Pacific 6.7.

Citizenship: United States

Mailing Address: 3815 Susan Drive, Apt. A6, San Bruno, CA 94066

74 Kathleen Court, Pacific, CA 94044

GB- 6/21/01

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this application or any patent issuing thereon.

NAME OF THIRD INVENTOR: WHITNEY W. SMITH

Signature:



Date:

6/21/01

Residence: El Cerrito, CA

Citizenship: United States

Mailing Address: 1122 Richmond Street, El Cerrito, CA 94530

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this application or any patent issuing thereon.

NAME OF FOURTH INVENTOR: JOHN C. CHABALA

Signature:



Date:

JUN 14 2001

Residence: Mountainside, NJ

Citizenship: United States

Mailing Address: 602 Sherwood Parkway, Mountainside, NJ 07092

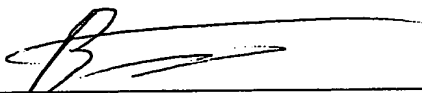
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NAME OF FIFTH INVENTOR: BAINIAN FENG

Signature:



Date:

06/21/01

Residence: Foster City, CA

Citizenship: United States

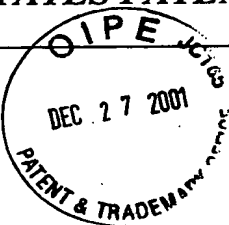
Mailing Address: 1033 Egret Street, Foster City, CA 94404

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: **Finer et al.**

Application No.: 09/669,047

Filed: October 24, 2000

Title: **METHODS AND COMPOSITIONS
UTILIZING QUINAZOLINONES**

Attorney Docket No.: CYTOP009

Examiner: Truong, T.

Group: 1624

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail to: Commissioner for Patents, Washington, DC 20231, on 10/5/01.

Signed: *Laura C. Dean*
LAURA DEAN**POWER OF ATTORNEY BY ASSIGNEE AND 37 CFR §3.73 STATEMENT**

Commissioner for Patents
Washington, D. C. 20231

Sir:

CYTOKINETICS, INC. is the assignee of the above-referenced patent application by virtue of an assignment document. The assignment document is/was recorded:

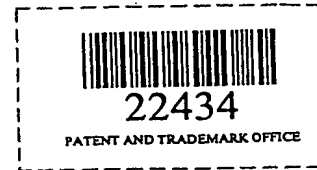
- ☐ at Reel __, Frame(s) __
- ☐ on _____
- ☒ submitted concurrently herewith

The assignee represents, pursuant to 37 C.F.R. §3.73(b), that the undersigned is a representative authorized and empowered to sign on behalf of the assignee.

Pursuant to 37 C.F.R. §§1.36 and 3.71, the assignee hereby revokes all powers of attorney previously given and hereby appoints the law firm of Beyer Weaver & Thomas, LLP and all practitioners who are associated with the **Customer Number 022434** as principal attorneys to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Please send all correspondence for this application as follows:

Customer Number 022434
BEYER WEAVER & THOMAS, LLP
P.O. Box 778
Berkeley, CA 94704-0778



Please direct any calls to ~~Attorney Name~~ ^{Lauren L. Stevens} (650) 961-8300.

Assignee of Interest:

Cytokinetics, Inc.
280 East Grand Avenue, Suite 2
South San Francisco, CA 94080

Date

8/24/01

A handwritten signature in black ink, appearing to read "N. Sigal", written over a horizontal line.

Name: Nolan Sigal, M.D. and Ph.D.

Title: Executive Vice President,
Research & Development

COPY

PATENTS
ATTORNEY DOCKET NO. 7139.1

ASSIGNMENT

WHEREAS, We, Jeffrey T. Finer, Gustave Bergnes, Whitney W. Smith, John C. Chabala, and Bainian Feng, having the addresses indicated below, have invented certain subject matter entitled "METHODS AND COMPOSITIONS UTILIZING QUINAZOLINONES" (the "Invention") for which We have executed application U.S. Serial No. 09/699,047, filed October 24, 2000 for Letters Patent of the United States of America;

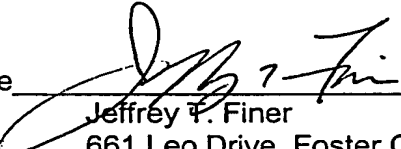
AND WHEREAS, Cytokinetics, Inc., a Delaware Corporation having an address at 280 East Grand Avenue, Suite 2, South San Francisco, California 94080 ("CYTOKINETICS") desires to perfect its right to the Invention and in the Letters Patent to be obtained therefor from the United States of America and all countries foreign thereto;


NOW, THEREFORE, in exchange for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, We acknowledge CYTOKINETICS' interest in the Invention and hereby assign to CYTOKINETICS for the United States of America and for all countries foreign thereto, all our rights, title and interest, including all rights under the Paris Convention for the Protection of Industrial Property, in the Invention, as described and claimed in application U.S. Serial No. 09/699,047, or in any continuation, division, reissue, reexamination or extension thereof and any legal equivalent thereof in a country foreign to the United States of America; the Invention, application and Letters Patent to be owned by CYTOKINETICS, its successors, assigns and legal representatives, to the full end of the term for which such Letters Patent may be granted.

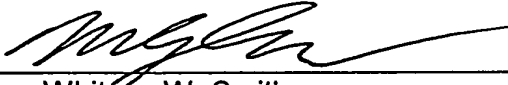
PATENTS
ATTORNEY DOCKET NO. 7139.1


This assignment is effective as of the earlier of: (a) the date of my signature hereto, or (b) the filing date accorded by the United States Patent and Trademark Office to application U.S. Serial No. 09/699,047, as indicated in the Filing Receipt for said application.

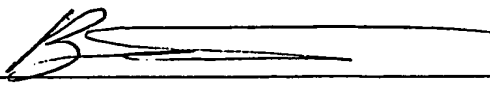
I have read and understand this Assignment document for application U.S. Serial No. 09/699,047 and agree hereto, as indicated by my signature as set forth below.

Signature  Date 6-21-01
Jeffrey T. Finer
Address: 661 Leo Drive, Foster City, CA 94404

Signature  Date 6/21/01
Gustave Bergnes
Address: ~~3815 Susan Drive, Apt. A6, San Bruno, CA 94066~~
74 Kathleen Court, Pacifica, CA 94044 GS. 6/21/01

Signature  Date 6/21/01
Whitney W. Smith
Address: 1122 Richmond Street, El Cerrito, CA 94530

Signature  Date JUN 14 2001
John C. Chabala
Address: 602 Sherwood Parkway, Mountainside, NJ 07092

Signature  Date 06/21/01
Bainian Feng
Address: 1033 Egret Street, Foster City, CA 94404